

REMARKS

The present application was filed on February 19, 2002 with claims 1 through 37. Claims 1 through 37 are presently pending in the above-identified patent application. Claims 1, 10, 16, 26, and 34-37 are proposed to be amended and claims 2-9, 11-15, 17-25, and 27-33 are proposed to be cancelled, without prejudice, herein.

In the Office Action, the Examiner rejected claims 26-33, 35, and 36 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement, rejected claims 1-7, 12, 16, 19-22, 34, and 36 under 35 U.S.C. §103(a) as being unpatentable over Syeda-Mahmood (United States Patent No. 5,953,451), in view of Tran (United States Patent Number 6,202,060), rejected claims 8, 11, 13-15, 17-18, 23, and 25 under 35 U.S.C. §103(a) as being unpatentable over Syeda-Mahmood in view of Tran, in view of Keith (United States Patent Number 6,629,097), and rejected claims 26-33, 35, and 37 under 35 U.S.C. §103(a) as being unpatentable over Tran, and in view of Platt et al. (United States Patent Number 5,812,698). The Examiner indicated that claims 9-10, 24 and 30 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Section 112 Rejections

Claims 26-33, 35, and 36 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner asserts that the specification on page 29, lines 2-27, does not support the first word stack, second word stack, and third word stack as well as first handwriting recognizer and second handwriting recognizer. The Examiner asserts that the amendment to the specification is new matter and cannot be added to the specification.

The specification was previously amended to recite that

a first word stack can be created from at least one word by using a first handwriting recognizer, and a second word stack can be created from at least one word by using a second handwriting recognizer. A determination of whether a document should be retrieved can then be made by comparing the first and second word stacks with a third word stack.

Support for this amendment can be found in originally filed claim 26. Contrary to the Examiner's assertion, no new matter is introduced since this matter is disclosed in original claim 26.

Independent Claims 1, 13, 16, 26, 34-37

5 Independent claims 1, 16, 34, and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Syeda-Mahmood, and further in view of Tran, independent claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Syeda-Mahmood, in view of Tran and in view of Keith, and claims 26, 35, and 37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tran, and in view of Platt et
10 al.

Regarding claims 1, 34, and 36, the Examiner asserts that Mahmood teaches "creating a document stack from at least one word in a handwritten document" (stack as index; FIG. 4, col. 7, lines 35-39). The Examiner acknowledges that Mahmood does not explicitly teach creating a query stack, but asserts that Tran teaches "creating a
15 query stack from a query" (FIG. 1; col. 10, lines 11-16). The Examiner also asserts that Mahmood teaches determining a measure between the document stack and the query stack (FIG. 4, col. 7, lines 43-47). Regarding claims 26, 35, and 37, the Examiner asserts that Tran teaches creating a first word recognition stack by using a first handwriting recognizer from at least one word, creating a second word recognition stack by using a
20 second handwriting recognizer from at least one word, and comparing the first and second word recognition stacks with a third word recognition stack to determine whether a handwritten document should be retrieved (FIG. 22, col. 31, line 66, to col. 32, line 16).

Applicants note that the Examiner has indicated that claims 9, 10, 24, and 30 would be allowable in independent form. Independent claims 1, 34, and 36 have
25 therefore been amended to incorporate the limitations of claim 9, claim 10 has been amended to be in independent form including all of the limitations of the base claims and any intervening claims, independent claim 16 have been amended to incorporate the limitations of claim 24, independent claims 26, 35, and 37 have been amended to incorporate the limitations of claims 29 and 30. Claim 13 has been cancelled, without
30 prejudice, herein.

Thus, Applicants submit that claims 1, 10, 16, 26, and 34-37 are allowable.

All of the pending claims following entry of the amendments, i.e., claims 1, 10, 16, 26, and 34-37, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

/Kevin M. Mason/

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